

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA
Plaintiff

v.

EDWIN SANTIAGO PAGAN
Defendant

CRIMINAL NO. 99-125 (JAF)

**REQUEST FOR DISCOVERY PURSUANT TO
RULE 32.1 OF FEDERAL RULES OF CRIMINAL PROCEDURE
AND MOTION TO CONTINUE SUPERVISED RELEASE
REVOCATION HEARING**

TO THE HONORABLE JOSE A. FUSTE
CHIEF UNITED STATES DISTRICT JUDGE
FOR THE DISTRICT OF PUERTO RICO

COMES NOW Mr. Edwin Santiago Pagán, the defendant herein, represented by the Federal Public Defender for the District of Puerto Rico, and before this Honorable Court respectfully submits the following:

1. On May 9, 2008, U.S. Probation Officer Vélez filed a motion notifying violations of supervised release and requested the issuance of summons.
2. On May 21, 2008 a warrant of arrest was issued by this Honorable Court.
3. Mr. Santiago stated that on June 2, 2008 he was informed by U.S. Probation Officer Vélez of the arrest warrant issued.
4. On June 3, 2008, Mr. Santiago voluntarily surrendered and was ordered detained because there was an arrest warrant issued by this Honorable Court.
5. On June 5, this Honorable Court set a Revocation of Supervised Release Hearing for June 10, 2008.
6. Defense counsel met today, June 9, 2008 with Mr. Santiago at the

Metropolitan Detention Center to discuss allegations of supervised release violation.

7. *Federal Rule of Criminal Procedure 32.1 (a)(2)(B)* provides that a person who's term of supervised release is to be revoked has the right to "disclosure of the evidence against the person." The following information is requested:
 - a) The name of the doctor, psychological and or drug treatment program or programs that the defendant was referred to by the U.S. Probation Office.
 - b) The appointments given to the defendant by the doctor or treatment program.
 - c) The record of assistance of the defendant to the appointments given by the doctor and/or treatment program.
 - d) The notes (chronos) of the Probation Officer of the meetings held with the defendant.
 - e) Results of defendant's drug tests.
 - f) Defendant's monthly reports.
 - g) Copy of Presentence Investigation Report.
 - h) Copy of all documents signed by defendant concerning his appearance at U.S. Probation Office.
 - i) Copy of any police report, judgment or conviction concerning the defendant.
8. Mr. Santiago respectfully requests that an order be issued by this Honorable Court in which it orders the Probation Officer to provide the information requested by defendant and for this Honorable Court and to continue such hearing to allow for the receipt of discovery as well as for defense counsel to contact potential witnesses regarding Mr. Santiago's alleged violations.

WHEREFORE it is respectfully requested that the information sought by defendant pursuant to *Federal Rule of Criminal Procedure 32.1(a)(2)(B)* be provided and for this Honorable Court to continue Supervised Release Revocation Hearing.

I HEREBY CERTIFY that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send electronic notification of such filing to the parties of record.

RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico, this 9th day of June 2008.

**JOSEPH C. LAWS, JR.
Federal Public Defender
District of Puerto Rico**

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